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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JOSE CHUNG LUO, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

SPECTRUM PHARMACEUTICALS, INC., et
al.,

Defendants.

No. 2:21-cv-01612-CDS-BNW

CLASS ACTION

PARTIES' RESPONSE TO THE COURT'S
FEBRUARY 1, 2024 ORDER

On February 1, 2024, the Court issued an Order instructing the Parties “to meet and confer prior to the hearing to establish whether any of the listed statements in ECF No. 55-2 can be dropped from the complaint, or otherwise should not be considered as a false or misleading statement (i.e., considered only as background information).” ECF 80. As instructed by the Court, on Sunday, February 4, 2024, the Parties participated in a telephonic meet and confer to discuss each alleged misstatement in Exhibit 1 to Defendants’ motion to dismiss (ECF 55-2). In consideration of the Court’s Order and after conferring with Defendants, Plaintiff submits the attached chart of false or misleading statements and omissions to be used during the February 6, 2024 hearing. See Exhibit A, attached hereto. Plaintiff does not waive any rights or make any concessions with respect to the alleged false or misleading statements and omissions alleged in the Amended Consolidated Class Action Complaint (ECF 46). For example, Plaintiff neither concedes that the removed statements are true or not misleading nor waives any rights to allege their falsity or misleading nature in the future. All alleged false and misleading statements in the Complaint (¶¶73-102) that are not included in Exhibit A shall continue to be considered part of the Complaint.

DATED: February 5, 2024

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